

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3
4 UNITED STATES OF AMERICA,

5 Plaintiff

6 v.

7 JERONE STAPLES,

8 Defendant

Case No. 2:23-cr-00201-CDS-EJY

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER

[ECF No. 24]

9
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Defense counsel has requested additional discovery in this case. The government
14 is working on providing the requested discovery, but obtaining the discovery from state
15 agencies may take time.

16 2. Once discovery is received, defense counsel needs additional time to discuss
17 with client and draft any pretrial motions.

18 3. The defendant is not incarcerated and does not object to the continuance.

19 4. The parties agree to the continuance.

20 5. The additional time requested herein is not sought for purposes of delay, but
21 merely to allow counsel for defendant sufficient time within which to be able to effectively and
22 complete investigation of the discovery materials provided.

23 6. Additionally, denial of this request for continuance could result in a miscarriage
24 of justice. The additional time requested by this Stipulation is excludable in computing the time
25 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
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1 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
2 Section 3161(h)(7)(B)(i), (iv).

3 **CONCLUSIONS OF LAW**

4 The ends of justice served by granting said continuance outweigh the best interest of the
5 public and the defendant in a speedy trial, since the failure to grant said continuance would be
6 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
7 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
8 account the exercise of due diligence.

9 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
10 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,
11 United States Code, § 3161(h)(7)(B)(i), (iv).

12 **ORDER**

13 IT IS THEREFORE ORDERED that the parties herein shall have to and including July
14 15, 2024 to file any and all pretrial motions and notice of defense.

15 IT IS FURTHER ORDERED that the parties shall have to and including July 29, 2024
16 to file any and all responses.

17 IT IS FURTHER ORDERED that the parties shall have to and including August 5, 2024
18 to file any and all replies.

19 Dated: June 11, 2024

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21 UNITED STATES DISTRICT JUDGE
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